

### REMARKS

Claims 12-14, 16-25 and 38-47 stand rejected under 35 U.S.C §103(a) as being unpatentable over U.S. Pat. No. 5,940,481 to Zeitman ("Zeitman") in view of U.S. Pat. No. 5,877,704 to Yoshida ("Yoshida"). Applicant respectfully traverses the rejection. However, to expedite prosecution in the present application, independent claims 12, 20, 38, and 44 have been amended to better define the invention.

Zeitman discloses a parking management communication system. The communication system is used to report, monitor, and reserve parking spaces. A user reserves a parking facility by using an interface unit such as a computer terminal and a modem to communicate with a central control unit. The user may select a parking facility and send a message to the control unit to reserve the facility. The control unit then registers the reservation. The next time a potential user other than the user who registered the reservation wishes to park in the reserved parking facility and communicates with the central control unit, the potential user will receive a message that the facility is already reserved. Zeitman does not disclose or suggest negotiating with the central control unit responsive to the central control unit auctioning the parking spaces. Further, Zeitman does not disclose or suggest a radio frequency communication interface capable of communicating packet data signals.

Yoshida discloses a parking-site reservation control system. The reservation control system operates at the parking-site. The system operates with L-shaped masts disposed at suitable intervals along applicable roads. The L-shaped masts support an overhead road device. When a vehicle passes within the communication area of the overhead road device of the L-shaped masts, communication is performed between a device installed on the vehicle and the overhead road device. However, Yoshida does not disclose or suggest negotiating with the central control unit responsive to the reservation control system auctioning the parking spaces. Yoshida also does not disclose or suggest a radio frequency communication interface capable of communicating packet data signals.

Conversely, amended claims 12 and 20 recite "negotiating with the reservation communication device for the good or the service desired by the customer responsive to the reservation communication device auctioning the good or the service to the customer" and amended claim 38 recites "negotiating via the first communication interface for the good or the service responsive to the auctioning of the good or the service." Nowhere in Yoshida or Zeitman does the applicable control unit or control system auction the parking space to the customer. Neither Yoshida nor Zeitman, alone or in combination, disclose or suggest negotiating responsive to auctioning. Thus, for at least these reasons, Applicants respectfully request that the rejection to claims 12, 20, and 38 be withdrawn.

Next, claim 43 recites "wherein the radio frequency communication interface is adapted to communicate packet data signals," and claim 44, which was amended to include the limitations of claim 47, recites "wherein the radio frequency communication interface, associated with the first communication interface, is adapted to communicate packet data signals." The Office Action rejected claims 38-47 as "the corresponding apparatus claims to method claims 12-14, 16-21, and 23-25," and held them obvious on the same grounds as the cited method claims. However, the method claims cited by the Office Action as corresponding to the apparatus claims do not include the feature "packet data signals." Claim 43 and amended claim 44 do recite "packet data signals." Neither Yoshida nor Zeitman, alone or in combination, disclose or suggest adaptation to communicate packet data signals. Thus, for at least these reasons, Applicants respectfully request that the rejection to claims 43 and 44 be withdrawn.

In addition, claims 13-14, 17-19, and 58-62 depend from claim 1, directly or indirectly; claims 21-22 and 24-25 depend from claim 20; claims 39-43 depend from claim 38, directly or indirectly; and claims 45-46 depend from claim 44, directly or indirectly. Therefore, for at least the reasons discussed above with respect to claims 1, 20, 38, and 44, Applicants respectfully request that the rejections of claims 13-14, 17-19, 21-22, 24-25, 39-43, and 45-46 be withdrawn and that new claims 58-62 be allowed.

Claims 15 and 22 stand rejected under 35 U.S.C §103(a) as being unpatentable over Zeitman in view of Yoshida in further view of U.S. Pat. No. 6,085,976 to Sehr

("Sehr"). Claim 15 depends from claim 12, and claim 22 depends from claim 20. Sehr is cited by the Office Action for the purpose of disclosing a customer profile. Sehr, alone or in combination, neither discloses nor suggests "negotiating with the reservation communication device for the good or the service desired by the customer responsive to the reservation communication device auctioning the good or the service to the customer," as recited in claims 12 and 20. Therefore, for at least the reasons discussed above with regard to claims 12 and 20, Applicants respectfully request that the rejection to claims 15 and 22 also be withdrawn.

For all of the above reasons, Applicant respectfully requests reconsideration and allowance of the present application. The Examiner is invited to contact the undersigned attorney at (312) 222-8101 if there are any outstanding issues that could be resolved through a telephone conference.

Respectfully submitted,



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